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Report of the Secretary-General on the situation in the Central African Republic

I. Introduction

1. In the statement by its President dated 26 September 2001 (S/PRST/2001/25) amending the mandate of the United Nations Peace-Building Support Office in the Central African Republic (BONUCA), the Security Council requested me to continue to keep it regularly informed of the activities of BONUCA and the situation in the Central African Republic, particularly in the areas of political dialogue, national reconciliation and respect for human rights. This report is submitted pursuant to that request.

II. Political situation

2. Since my previous report to the Security Council, dated 21 September 2001 (S/2001/886), the political situation in the Central African Republic has continued to be marked by the repercussions of the attempted coup d'etat of 28 May 2001. On 9 October 2001 the Joint Commission of Judicial Inquiry submitted its partial conclusions to President Ange-Felix Patassé. They were also immediately forwarded to the competent judicial authorities. It was expected that the trial of the putschists would commence in December 2001, involving about 700 individuals, of which 70 are in custody and 628 are fugitives.

3. The political situation, which has been precarious ever since the attempted coup, deteriorated further when President Patassé relieved General Bozizé of his duties as Chief of Staff of the Central African armed forces on 26 October 2001.

4. On 2 November 2001 the Public Prosecutor of the Republic issued an arrest warrant against General Bozizé following the discovery of a cache of weapons in his residential quarters in Bangui. The General resisted arrest and gathered a guard around him for his protection.

5. On 3 November 2001, my Representative, General Lamine Cissé, undertook a good offices mission to bring the two parties together. On the basis of unwritten concessions by both parties, President Patassé promised to appoint General Bozizé to another post and to consider granting a pardon once the judicial procedure was completed.

6. For his part, General Bozizé seemed to be willing to be questioned by the Commission of Inquiry in the presence of my Representative on BONUCA premises. This arrangement had also been considered by the Minister of Justice, who even proposed to suspend the arrest warrant. General Bozizé promised my Representative on 6 November 2001 that he would remove the barricades he had erected on 2 November on the north road, which had a stranglehold on the capital.

7. All that remained was to set down the reciprocal concessions of the parties in writing. But on the morning of 7 November, government troops attacked General Bozizé's positions and those of his men working on dismantling the barricades in the presence of two BONUCA officials assigned to witness the opening of the north road. General Bozizé and his supporters (around 300 men) fell back to the frontier with Chad. General Bozizé took refuge in Chad with some of his troops; the others chose to remain in Central African territory with their weapons. President Patassé later announced that a telephone conversation had been intercepted during the night of 6 to 7

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November that revealed that General Bozizé had been planning a coup d'état.

8. The Central African authorities summoned General Bozizé to appear before the courts of his country, stressing the "purely judicial character" of the case. President Déby of Chad, citing the provisions of his country's constitution that prohibit extradition of political refugees to their country of origin or any other country where their safety is not assured, refused to consider extraditing General Bozizé. Instead, the President of Chad suggested negotiations, with the involvement of the Organization of African Unity and the United Nations.

9. On 7 November 2001, the Permanent Mission of the Socialist People's Libyan Arab Jamahiriya to the United Nations informed me that the Libyan Arab Jamahiriya, with the consent of the Government of the Central African Republic, was proposing that the new political and military crisis should be addressed by sending international observers and a peacekeeping force composed of contingents from African States, including neighbouring countries, to the Central African Republic.

10. On 14 November 2001, President Patassé reduced General Bozizé to the rank of private second class and deprived him of his pension rights and military awards on the grounds that he had threatened the internal security of the State in removing himself from the control of the Central African armed forces.

11. The former General is said to be in Sahr in southern Chad at present. His supporters still in Central African territory have had several confrontations with government forces, notably on 23 November and 5 December. Since 26 November, some of his forces have been driven back into Chadian territory, where they have been disarmed by Chadian armed forces.

12. The former Chief of Staff of the Central African armed forces claims to be willing to negotiate with his country's authorities. That is also the position of Chad, which has granted him political asylum. On 14 November 2001, the head of State of Chad forwarded a message to me to that effect through my Representative in Bangui and asked me to help to persuade President Patassé to agree to negotiations on the fate of General Bozizé and his men.

13. Efforts have been made at the regional level to arrive at a negotiated solution to this new Central African crisis. A delegation from the Community of Sahelo-Saharan States (composed of the ministers for foreign affairs of Burkina Faso, Chad and the Libyan Arab Jamahiriya and the Ambassador of the Sudan to N'Djamena) and a delegation from the Organization of African Unity (OAU) (including the Under-Secretary-General) arrived in Bangui on 7 November 2001 and were received by President Patassé. The OAU delegation, which stayed in Bangui from 7 to 12 November 2001, met with all the political actors and the organizations of civil society to explore with them ways and means of finding a lasting solution to the Central African crisis.

14. Internally, the Bozizé affair added to the persistent tension between the majority and the opposition. On 14 November 2001, the opposition political parties issued a statement whereby they requested, inter alia, an amnesty for General Bozizé and his men, the disbanding of the Commission of Judicial Inquiry into the failed putsch of 28 May 2001 and the withdrawal of Libyan troops from the Central African Republic. This statement prompted a quick reaction from the President of the Republic, who accused the opposition leaders of complicity with those involved in the putsch.

15. A peaceful end to the Bozizé affair is to be desired in order to prevent, on the one hand, creating instability and insecurity in the north of the Central African Republic and, on the other, contributing to the deterioration of subregional relations. That is why I support all subregional initiatives that seek to restore calm and stability to the Central African Republic.

16. In the final communiqué (S/2001/1148, annex), the mini-summit of the Community of Sahelo-Saharan States (CEN-SAD) on peace and stability in the Central African Republic, which was held in Khartoum on 3 December 2001, decided, inter alia, to establish, for an interim period, a force to keep the peace in the Central African Republic; to form a political committee for national reconciliation in the Central African Republic; to establish a fund to provide support to the Central African Republic. The Libreville summit, which was held on 4 and 5 December 2001, decided to create an ad hoc committee of heads of State to promote a resumption of the political dialogue in the Central African Republic; it also asked President Patassé to take steps to ensure calm and launched an urgent appeal to the international community for assistance to the Central African economy. My Representative

attended both summits and will continue to support the efforts of African leaders so that the subregion is not destabilized by another conflict.

17. Responding to the numerous calls for calm, the Central African authorities put an end, on 24 December 2001, to all judicial proceedings instituted against former General Bozizé and his men. I congratulate President Patassé for that welcome initiative and encourage him to persevere in his efforts to promote national reconciliation.

18. Former General Bozizé set a number of conditions for his return to Bangui, including the proclamation of a general amnesty, the departure of foreign troops, cancellation of the sending of a peacekeeping force to the Central African Republic and the holding of a national dialogue.

19. As regards political dialogue and national reconciliation, the Government has taken initiatives as a result, inter alia, of the good offices of my Representative. In preparation for the forthcoming meeting between President Patassé and the leaders of all the political parties, the Prime Minister received the latter on 23 November 2001. I hope this heralds the start of the future political dialogue for which BONUCA will spare no effort. Since the 25 June 2001 meeting between President Patassé and the Central African political classes there had been no further contact between the majority and the opposition. According to my Representative, this meeting could take place any time.

20. In addition, the authorities appealed to the men who followed former General Bozizé to return to their barracks without fear and in all safety. On the national holiday, 1 December, President Patassé made a solemn appeal for the return of civilian refugees from Zongo (Democratic Republic of the Congo). At the prompting of BONUCA and with the assistance of the agencies of the United Nations system, including the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Development Programme (UNDP), a committee was set up on 29 November 2001 to consider the practical modalities for receiving the refugees. Only a trickle have returned officially, but many refugees have returned to Bangui quietly. BONUCA and the United Nations agencies are trying to give the refugees every assurance and have planned specific measures to that effect.

21. These initiatives which will be completed later by a call for the return of the men who have taken refuge in the Democratic Republic of the Congo and in the Republic of the Congo, will no doubt help rebuild confidence gradually and re-establish the dialogue and consultation among Central Africans. Already the curfew has been lifted since 1 December 2001.

III. Social situation

22. The calm on the social front, which was noted immediately following the events of 28 May 2001, has been confirmed. Workers deliberately refrained from resorting to any form of protest and adopted the same attitude during the Bozizé affair.

23. In the course of the many working meetings which my Representative had with trade union leaders, the latter agreed that, although their claims were justified and legitimate, they would not add to the fragility of the country's already precarious situation by calling for any work stoppages. For his part, my Representative is continuing to make them aware of the need to keep in contact with the authorities. Thanks to his continued efforts, the social dialogue that began in August 2001 has been maintained.

24. The Prime Minister thus received all the trade union leaders on 21 November 2001 in preparation for the forthcoming meeting with President Patassé. In the course of this meeting, the head of the Government reiterated the commitment of the authorities to make every effort to find a definitive solution to the salaries crisis.

IV. Human rights situation

25. During the period under review, instances of extrajudicial execution and arbitrary detention have been brought to the attention of BONUCA. Serious violations of the right to life have been committed, inter alia by uniformed elements. On 29 July 2001, two young customs officers were murdered in cold blood because, it was alleged, they were former mutineers.

26. The use of information files is creating some unease, insofar as the files are fairly often grounds for numerous arrests. Cases of untimely house searches have been brought to the attention of the human rights section; it also continues to receive complaints about certain arrests. On 6 and 8 December 2001, two

deputies, including the first Vice-President of the National Assembly, were arrested — although their immunity had not been waived — because the prosecution claimed that they were in flagrante delicto.

27. The human rights section of BONUCA has received numerous complaints regarding the requirement that any Central African wishing to travel by air must have an exit permit. The permit, which is issued to individuals by the Joint Commission of Judicial Inquiry, certifies that they were not involved in the failed coup d'état of 28 May.

28. The situation in the prisons remains troubling despite the recent efforts made by the Government to renovate the central prison of Ngaragba, which was destroyed during the mutinies of 1997. Police stations and offices of the former Survey, Research and Documentation Section (SERD) have become detention centres where the people arrested since the attempted coup d'état are held under very precarious conditions.

29. BONUCA continues to pay regular visits to those detained, both in the provinces and in Bangui. This includes the former Minister of Defence, Jean-Jacques Démafouth, who was arrested on 25 August 2001, placed under house arrest and denied the right to have visitors. It also includes the former president of the Bar, Zarambaud Assingambi, who was arrested on 26 September for allegedly participating in the failed putsch. My Representative made great efforts to obtain his release pending trial and succeeded on 10 December 2001.

30. Immediately following the attempted coup d'état of 28 May some Central Africans, fearing for their lives, sought refuge in the embassies of Chad, France and the United States. Since July 2001, the Office, in the context of a tripartite commission (Government-embassies-BONUCA), has been actively encouraging these people to leave. A certificate duly signed by the members of the tripartite commission has each time been delivered to the individual concerned as a guarantee of his safety. Only 10 people (out of the 113 registered in June 2001) still remain in the residence of the Ambassador of France in Bangui.

31. It should, however, be noted that 17 people who had been in police custody since the attempted coup d'état were released on 12 November 2001 after their hearing. Two religious leaders (including one foreign priest, head of the Notre Dame private radio station) were released recently following a variety of interventions, including by my Representative.

32. The Office has continued its human rights training activities inside the country. Between July and December 2001 it trained more than 150 law enforcement personnel (gendarmes and police officers) from the provinces of Nana-Mambéré (west), Ouham (north) and Sangha-Mbaéré (south-west).

33. As part of the activities to commemorate the fifty-third anniversary of the Universal Declaration of Human Rights, a seminar was held from 10 to 13 December 2001 on the role of the courts in the context of peace-building. About 100 court personnel (judges, lawyers and notaries) attended. Another seminar for mayors and district and village chiefs will be held at the beginning of 2002 in order to make them aware of their role in promoting and safeguarding of human rights. Lastly, the Office is continuing its radio broadcasts to raise awareness and disseminate knowledge about human rights.

34. The failed coup of 28 May 2001 and the Bozizé affair has had a serious impact on the Central African armed forces, with the regular army losing 1,300 soldiers. Most of the deserters fled south to the Democratic Republic of the Congo, and the remainder, following the former Chief of the General Staff, went north into Chad. The army, already rather small in numbers, is now in a serious state of disarray and needs more men. The Government plans initially to recruit 400 former soldiers in December 2001. New recruits will also be brought in, but at a later date.

V. Security and military situation

35. As part of their policy to restructure the defence and security forces, the authorities have decided that the recruiting process will take place at the prefectural level, rather than in Bangui as in the past, so that the country's armed forces will be truly national and multi-ethnic. Barracks will also be decentralized, thereby reducing the number of soldiers in Bangui and improving security in the capital.

36. The rebellion led by General Bozizé led to a worsening in the security situation. The northern areas of Bangui were practically inaccessible, and many fleeing inhabitants had settled on the outskirts of the city. Although the tension has eased following the northward retreat by Bozizé and his men, acts of armed

banditry and robberies are still reported in the area. To restore security, the Government has recently decided that all off-duty military personnel are to be forbidden to carry weapons and that those breaking this rule will be punished.

37. The Government's security concerns relating to the presence of armed refugees in Zongo have abated somewhat since the refugees were transferred to Bokilio, 120 kilometres from Bangui, in October and November 2001. This was achieved thanks to concerted efforts by the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), BONUCA and Mr. Jean-Pierre Bemba, who controls that area. In the northern region bordering on Chad, however, the security situation may deteriorate following clashes between government forces and Bozizé supporters. Although the latter have mostly been pushed back into Chadian territory, where they were disarmed, some troops loyal to the former Chief of the General Staff are still in Central African territory, and their presence may lead to further clashes with the regular army.

38. The continuing security problems in the Central African Republic are also due to arms proliferation in both the capital and the interior. Consequently, on the initiative of BONUCA and under its leadership, a disarmament and weapons collection strategy has been worked out with help from UNDP, in liaison with the Government. The aim is to collect weapons that are held illegally, particularly by the civilian population and irregular armed groups. Funded in part by UNDP, this operation will begin shortly; the authorities have already set up the necessary structures.

39. An analysis of the restructuring of the armed forces has been carried out by BONUCA, in close collaboration with the Government. A plan of action has been produced, providing for measures to redeploy military units and rehabilitate infrastructure. The State itself has undertaken to rebuild some barracks with aid from external partners such as France, the latter being by far the country's largest source of foreign assistance.

40. Training programmes for the police and gendarmerie have been carried out by the civilian police team from the Office. Three training and refresher courses on public safety, command, and police files and crime statistics were held between August and November 2001. In December 2001 there will be four more refresher courses designed respectively for gendarmerie squad commanders, police officers, members of the security branch of the police, and border police.

VI. Economic situation

41. Like the failed coup of 28 May 2001, the Bozizé affair, to a lesser extent, also had adverse consequences for the country's economy. The blocking of the capital's main supply route for nearly a week and the closure of offices, banks and businesses for an entire week led to a major loss of income for the State, further reducing its capacity to meet its expenses, particularly salaries. The review mission for the October 2000-March 2001 interim programme is planned for the first quarter of 2002.

42. The repeated crises experienced by the Central African Republic since the beginning of 2001 have unfortunately made it impossible for the cooperation programmes with the Bretton Woods institutions to proceed as planned. Among other difficulties, the Government of the Central African Republic has not yet been able to receive a secondment of high-level experts to strengthen its capacities in economic and financial management. I therefore urge the development partners to continue to provide assistance to the Central African Republic in this sphere.

43. The donor meeting, initially scheduled for September 2001, was held in Paris on 20 December 2001. The negotiations with the Bretton Woods institutions will take place at the end of March 2002 and a new programme could be finalized in April 2002. Many partners have made their assistance to the Central African Republic contingent on the existence of this programme. In the meantime, the Central African Republic will experience a very difficult financial situation, since there will be no inflow of funds.

44. I should like to draw the attention of members of the Council to the critical situation of the Central African Republic in the area of external debt. The country has not yet benefited from the Heavily Indebted Poor Countries (HIPC) Debt Initiative. On 14 November 2001, President Patassé requested me to intervene with the Bretton Woods institutions in order

to facilitate the rapid access of the Central African Republic to the HIPC initiative so that it can receive additional resources for its development. I indicated that I intended to review with the authorities of the International Monetary Fund and the World Bank appropriate ways of facilitating access by the Central African Republic to the HIPC initiative. In this respect, it is clear that the achievement of tangible progress in the area of national reconciliation would create a favourable political context for this step.

VII. Observations

45. I stressed in my report of 21 September 2001 that the situation in the Central African Republic was gradually returning to normal. The Bozizé affair has now slowed down this process by further weakening the State in its economic recovery efforts.

46. In the area of political dialogue, the national reconciliation which was expected after the failed coup d'état of 28 May 2001 has still not taken place, partly because of the continuing judicial investigations. However, a meeting between President Patassé and the opposition leaders would help reduce tension and bring together the main political actors.

47. In this respect, I commend the efforts which the leaders of the subregion are making to promote a resumption of political dialogue and encourage national reconciliation in the Central African Republic.

48. Meanwhile, it is to be hoped that President Patassé's solemn call for the return of refugees will contribute to an easing of tension. The provisions, including security provisions, taken by the authorities in the context of the reception committee for these refugees, in conjunction with BONUCA, agencies of the United Nations system and some embassies, including those of the countries which are permanent members of the Security Council, demonstrate the desire of the authorities to rebuild unity among the sons and daughters of the nation.

49. In the area of human rights, the conclusion of the mandate of the joint commission of judicial inquiry and the trial of the individuals who took part in the coup will certainly help to consolidate the progress already made, to which I drew attention in my report of 21 September 2001.

50. Pending the outcome of the donor meeting held in Paris on 20 December 2001, I encourage the development partners to continue to assist the Central African Republic during this transitional period, in which there are likely to be greater difficulties than before.

51. Lastly, I should like to express my gratitude to my representative, General Lamine Cissé, and to the entire United Nations team for the commendable efforts they are making to restore calm in the country and help the Government deal with the many challenges facing the Central African Republic.